THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :25355 of 2007

DATED:29-11-2007

BETWEEN:
Potina Achayamma & another.

..... PETITIONERS

AND
The State of Andhra Pradesh,
Rep., by its Secretary,
Revenue Department,
Secretariat,
Hyderabad & 5 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioners; learned Government Pleader for Land Acquisition; and the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the respondents in not disposing of the representation, dated 23-10-2007, *in spite* of the directions of the 2nd respondent, as illegal, and arbitrary.

3. It is the case of the petitioners that they were Ex-serviceman and the husband of the 1st petitioner was an assignee of an extent of Ac.4.20 guntas situated at Madhuravada village, Visakhapatnam Rural mandal vide certificate No.236 in D.R.No.253/1970, dated 30-10-1970, and his name was recorded in the revenue records and pattadar pass books were also issued. After the death of her husband 1st petitioner succeeded the said property and thereafter she entered into agreement in favour of the 2nd petitioner to alienate the said land as there is no prohibition for alienation of the said land after ten years as per G.O.Ms.No.1117, dated 11-11-1993.

4. It is stated that pursuant to the directions of this Court agreement of sale-cum-GPA was executed in favour of the 2nd petitioner vide document 3810, dated

25-08-2007, and thereafter, 2nd petitioner made a representation before the 2nd respondent-Chief Commissioner of Land Administration, Nampalli to issue necessary orders directing the revenue authorities to conduct a survey, fix the boundaries, and issue pattadar pass books and title deed. Pursuant to the said representation, dated 23-10-2007, 2nd respondent passed two orders, dated 31-10-2007. One order is directing the 3rd respondent-District Collector, Visakhapatnam to take necessary action regarding the issuance of pattadar pass book as per law and report immediately, and another order is directing the 6th respondent-Assistant Director of Survey and Land, Visakhapatnam to take necessary action for fixation of the boundaries in respect of the said land. It is further stated that the respondents 3 to 6 have not taken any further action pursuant to the said directions of the 2nd respondent. Hence, the present Writ Petition.

5. Having regard to the facts and circumstances of the case, respondents 3 to 6 are directed to take appropriate action pursuant to the proceedings of the 2nd respondent in C.C.L.A's Ref.No.ROM/ROR1/609/2007, dated
31-10-2007, as expeditiously as possible, without any undue delay.

6. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

29th November, 2007.
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